

Philip Herzegovitch CGR, CAPS, BPI-BA

Testimony for HB 5149

Home Contractor Licensing

Esteemed members of the Connecticut State Legislature and this Committee, thank you for allowing me to come before this body in order to offer testimony regarding the HB 5149 legislation for the introduction of formal licensing for contractors involved in residential home improvement.

I have been a registered Home Improvement Contractor in the State of Connecticut for the past 13 years. In that time I have seen the good, the bad and the ugly of the Home Improvement segment of the building industry in our state.

Although I am a beneficiary of a low barrier to entry, from a business point of view, that does not necessarily translate to adequate knowledge required to perform at a level of competence in residential building improvement.

As it stands right now, it seems to me that the title of Home Improvement Contractor is a bit too broad to be able to cover the myriad types of trades and skills used in the process of home improvement and/or building, and certainly anything having to do with structure. It is just too vague to be of any real value in assessing the competence needed to perform the job in the larger picture.

The way the current Home Improvement Act reads and is applied, too many contractors without the necessary skill sets seem to be slipping through the cracks. The situation not only hurts the industry, but the consumer and the state of Connecticut as well. There is no real requirement that a Home Improvement Contractor's subs be registered or otherwise licensed except in the cases of plumbing, electrical and/or HVAC. While simple registration might be acceptable for smaller projects such as refitting a closet, replacing a counter top or tiling a section of floor, it falls far short regarding more extensive projects such as kitchen & bath remodels, additions, basement finishing or energy efficiency and weatherizing. In these cases, a Home Improvement Contractor will most likely assume the role of General Contractor. In these types of cases the majority of the work being done may be by sub-par, poorly trained and/or totally unregulated workers. The easily gotten HIC registration, in this case, can and does result in poor quality or create safety issues much of the time. If the ultimate job-site authority, the GC, does not have the knowledge base required to spot deficient building practices, how can there be any expectations that any of the subs will perform their tasks correctly or effectively? Let me give a couple of recent examples.

I was recently asked to look at a home for purchase by a client. The historic home (about 160 yrs old) had modifications made to it over the last 30 yrs. These modifications were done without permits, but by "licensed" HIC contractors. All the modifica-

tions and added items compromised the structure to such a degree that the home is unsellable at this point. Structural tie beams have been cut and removed causing the walls to belly out and the roof to become swaybacked. Multiple roof layers have been added to a roof structure that cannot adequately support their weight. A stone fireplace had been installed on a cantilevered floor with no foundation structure under it. The deck was placed on footings, by that I mean a block that measures 1 foot square. Joist hangers that have been installed using roofing nails and support columns that were added were installed out of the load path, leaving key load points unsupported. Granted, if the work had been permitted, most of these issues would have been caught by the building inspectors, but all too often the consumer looks to the Contractor as the knowledgeable expert because he/she has been "licensed" to do the work.

Another example was a basement finishing project that was permitted and inspected. In this case, a registered or "licensed" home improvement contractor had used all the wrong types of materials for the project, resulting in a severe mold infestation situation. Had the contractor been properly educated, many of the issues could have been averted, or at the very least pointed out in order to find the right solutions BEFORE completion of the project. The resulting costs to remedy the situation cost more than triple the original effort. None of which was recoverable. Some may say that this is a market issue and that the laws of supply and demand would weed out poor performance. That has not been the case for the last 30 years. If it had been the case, we would not be at the juncture we are at right now.

In both of these cases, if the contractor was required to show a minimum competency through initial testing, proper formal licensure and continuing education, the outcomes would most likely have been averted. Building technologies have changed dramatically over the years. Remedies to mistakes previously made in building techniques have evolved. The building industry is not a static one and those that work within it must be able to be asked to mature along with it. The current model is not sustainable and the State needs to adapt as well. The lack of formal licenses, and the issues that go along with that not only diminish the image of my chosen field, it puts the consumer at greater risk of monetary and/or property loss (not to mention illnesses or bodily injury). This then negatively affects the State in the way of increased litigation costs, increased enforcement costs, increased liability costs and a diminished image.

I would like to urge the Committee and the Legislature to seriously consider voting in favor of the legislation presently being proposed in HB 5149. Thank you for your time.